

FILED
NOV 21 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF OREGON

CURTIS SHORT,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant


Civil No. 3:07-CV-1630-KI

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ordered that the Commissioner's final decision is reversed and remanded for further administrative proceedings, in accordance with sentence four of 42 U.S.C. § 405(g). Upon remand, the ALJ will conduct a de novo hearing. The ALJ will reconsider all medical source opinions and consider the new evidence submitted to the Appeals Council for review. The ALJ will make a new determination as to Plaintiff's disability taking all evidence into account, and issue a new decision. Upon proper application, Petitioner shall be entitled to reasonable attorney's fees under the terms of the Equal Access to Justice Act, 28 U.S.C. § 2412 et seq.

///

DATED this 21st day of Nov, 2008.


UNITED STATES DISTRICT JUDGE

PRESENTED BY:

KARIN J. IMMERGUT, OSB #96314
United States Attorney
District of Oregon

BRITANNIA I. HOBBS
Assistant United States Attorney

s/ David J. Burdett
DAVID J. BURDETT
Special Assistant United States Attorney
(206) 615-2522
Of Attorneys for Defendant